He committed to informing the Judiciary Committee of any attempts to interfere with Special Counsel Mueller's Russia probe and said he would consider any attempted interference to be unacceptable and inappropriate.

He committed to impartiality and independence, pledging that the FBI will follow the facts, the laws, and the Constitution, without regard to partisan political influence.

After a sterling career at the Justice Department, and based on the recommendation of hundreds of U.S. Attorneys who have validated his integrity, there is no reason not to believe that Mr. Wray will live up to these commitments as Director of the FBI.

I will vote yes on his nomination, and I urge my colleagues to do the same.

Thank you.

Mr. ISAKSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, I yield back all time on our side and their side as well.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the Wray nomination?

Mr. ISAKSON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 5, as follows:

[Rollcall Vote No. 181 Ex.]

YEAS—92

Alexander	Cochran	Feinstein
Baldwin	Collins	Fischer
Barrasso	Coons	Flake
Bennet	Corker	Gardner
Blumenthal	Cornyn	Graham
Blunt	Cortez Masto	Grassley
Booker	Cotton	Harris
Boozman	Crapo	Hassan
Brown	Cruz	Hatch
Cantwell	Daines	Heinrich
Capito	Donnelly	Heitkamp
Cardin	Duckworth	Heller
Carper	Durbin	Hirono
Casey	Enzi	Hoeven
Cassidy	Ernst	Inhofe
Isakson	Murray	Shaheen
Johnson	Nelson	Shelby
Kaine	Paul	Stabenow
Kennedy	Perdue	Strange
King	Peters	Sullivan
Klobuchar	Portman	Tester
Lankford	Reed	Thune
Leahy	Risch	Tillis
Lee	Roberts	Toomey
Manchin	Rounds	Udall
McCaskill	Rubio	Van Hollen
McConnell	Sanders	Warner
Menendez	Sasse	Whitehouse
Moran	Schatz	Wicker
Murkowski	Schumer	Young
Murphy	Scott	

NAYS—5

Gillibrand	Merkley	Wyden
Markey	Warren	

NOT VOTING—3

Burr	Franken	McCain

The nomination was confirmed.

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Newsom nomination?

Mr. WICKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN) is necessarily absent.

The PRESIDING OFFICER (Mr. RUBIO). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 31, as follows:

[Rollcall Vote No. 182 Ex.]

YEAS—66

Alexander	Gardner	Paul
Barrasso	Graham	Perdue
Blumenthal	Grassley	Peters
Blunt	Hassan	Portman
Boozman	Hatch	Risch
Capito	Heitkamp	Roberts
Casey	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Shaheen
Cornyn	Kennedy	Shelby
Cotton	Klobuchar	Stabenow
Crapo	Lankford	Strange
Cruz	Leahy	Sullivan
Daines	Lee	Tester
Donnelly	McCaskill	Thune
Enzi	McConnell	Tillis
Ernst	Moran	Toomey
Feinstein	Murkowski	Warner
Fischer	Murphy	Wicker
Flake	Nelson	Young

NAYS—31

Baldwin	Gillibrand	Reed
Bennet	Harris	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Udall
Cardin	King	Van Hollen
Carper	Manchin	Warren
Coons	Markey	Whitehouse
Cortez Masto	Menendez	Wyden
Duckworth	Merkley	
Durbin	Murray	

NOT VOTING—3

Burr	Franken	McCain

The nomination was confirmed.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I ask unanimous consent that with respect to the Wray and Newsom nominations, the motions to reconsider be considered made and laid upon the table en bloc and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

ORDER OF BUSINESS

Mr. WHITEHOUSE. Mr. President, I think we are waiting for Senator GRASSLEY to come, and then we will be ready to proceed.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I appreciate the indulgence of my colleagues from Iowa and Rhode Island.

(The remarks of Mr. PORTMAN pertaining to the introduction of S. 1693 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. PORTMAN. I thank my colleague from Iowa.

I yield back my time.

The PRESIDING OFFICER. The Senator from Iowa.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION REAUTHORIZAITON ACT OF 2017

Mr. GRASSLEY. Mr. President, I rise to speak about the Juvenile Justice and Delinquency Prevention Reauthorization Act.

I will make some short comments, and then I would like to defer to Senator WHITEHOUSE, and then I would propound a unanimous consent request.

I think we will soon be able to pass the Juvenile Justice and Delinquency Prevention Reauthorization Act. I reintroduced this measure this year with Senator WHITEHOUSE.

The bill before us is almost the same as the one the Judiciary Committee cleared by voice vote in the 114th Congress, and it is very similar to the one we hotlined last year. We hotlined it in April, and all the Members of this Chamber had several months to review it. We had one objection, and we cleared it earlier this week.

The bill would extend a Federal law known as the Juvenile Justice Delinquency Prevention Act for 5 more years. The centerpiece of this 1974 legislation, which Congress last extended 15 years ago, in 2002, is its core protections for youth. These core protections call for juveniles to be kept out of adult facilities, except in very rare instances. They ensure that juveniles will be kept separated from adult inmates whenever they are housed in adult facilities. They call for reducing disproportionate minority contact in State juvenile justice systems.

States adhering to these requirements receive yearly formula grants to support their juvenile justice systems.

This bill would promote greater accountability in government spending. The Judiciary Committee, which I chair, heard from multiple whistleblowers that reforms are urgently needed to restore the integrity of the formula grant programs that are the centerpiece of our current juvenile justice law. The Justice Department's Office of Juvenile Justice and Delinquency Prevention administers this formula grant program. This program would be continued for 5 more years under the bill, but the Justice Department would have to do more oversight if this bill is enacted.

This bill also calls for evidence-based programs to be accorded priority in funding. The goal is to ensure that scarce Federal resources for juvenile justice will be devoted mostly to the programs that research shows have the greatest merit and will yield the best results for these young people.

Finally, I want to take this opportunity to thank our many cosponsors. This bill is truly a bipartisan effort, and many Senators contributed provisions to strengthen this bill since we introduced it last April. The bill reflects the latest scientific research on what works best with at-risk adolescents.

At this point, I would ask that the Presiding Officer turn the floor over to Senator WHITEHOUSE. I want to thank Senator WHITEHOUSE for being so persistent in this effort, as well. I thank him for his great help.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Thank you, Mr. President, and thank you, Mr. Chairman.

Chairman GRASSLEY has been a wonderful colleague in this effort. It is the culmination of years of work, including multiple committee hearings, briefings at home in Rhode Island and elsewhere, and really working the regular order of the Senate to get this done. Chairman GRASSLEY has been both patient and persistent, and I really appreciate his leadership.

I also thank our ranking member on the Judiciary Committee, Senator FEINSTEIN, for her work. I thank Senator RAND PAUL. He would have liked to have seen a stronger bill, but it simply—as would we have, by the way. He held on for a while, hoping we could strengthen it, but it turned out there was objection to that—and he was gracious about yielding—and now we are able to move forward bipartisanly and unanimously.

The history of the Juvenile Justice and Delinquency Prevention Act is a noble history. It is because of this law that children aren't locked up in adult prisons any longer. It is because of this law that children don't get placed in solitary confinement for extended periods or shackled when they are arrested for things like running away from home or not coming to school, but it had been a while since this bill was updated.

The last time it was reauthorized was 13 years ago, and we have learned a lot about adolescent development and the best practices for dealing with children in those 13 years. So we are moving forward today.

I look forward to working with my chairman on the broad-based criminal justice reform that he is championing in the committee, but there is no reason we shouldn't go forward with getting juvenile justice right while we move on to other areas.

I particularly want to thank him and recognize the groups involved for the patient work that was done over many years with all sorts of interested groups. We had to make this right. We wanted to minimize conflict. We wanted to maximize what we were able to accomplish, and the result is, we have over 150 organizations that have endorsed this legislation, from the ACLU to the national association that supports probation and parole officers, from Boys Town to the National Association of Counties and the National Center for Victims of Crime.

The bill focuses the way it should, on evidence-based and trauma-informed programs that have emerged in the last 13 years. It focuses on protecting juveniles who are held in adult facilities, making sure they are fully separated in sight and sound from adult inmates. It limits the narrow circumstances under which they may be confined in isolation, and it requires data-driven approaches to reduce ethnic and racial disparities.

We recognize that kids now are much more vulnerable to substance abuse issues and that they, too, face mental health challenges, and we try to bring this bill together so States have to provide appropriate treatment and recognition when the cause of what is going on in that child's life is substance abuse or a mental health challenge.

We make it a good deal harder to incarcerate for the status offenses. A status offense is an offense that wouldn't even be an offense if an adult did it. It is only because you are a child that it is even an offense at all—skipping school or running away from home and so forth. There are better ways to deal with those children than incarcerating them, and we steer in this direction, promoting the community-based alternatives to the tension.

For instance, we have community courts in Rhode Island that work really well, where the family is engaged, the child is engaged, and the community is engaged. They really learn a lesson from what they did. They have to do something helpful in order to kind of remediate themselves with their community. It has been very successful. So there are real things that can be done. Of course, separating a child from their family in order to try to improve their situation is usually something that backfires. You need to have the family engaged.

Consistent with Senator PORTMAN's remarks, we also recognize that very often some of the times that children get in trouble is because they have been traumatized. They have been either the victim of violence themselves or witnessed violence in ways that have created trauma and, in many cases, are sadly the victims of child sex trafficking.

So we focus on States identifying and responding to those particular children to make sure, if that is what is behind what is going on, that those needs are met—simple things. We banned the use of shackles on girls once they are pregnant. It shouldn't be asking too much, and it is about time we stopped shackling girls, particularly pregnant girls.

Last, something near and dear to my chairman's heart, it improves the accountability and the oversight of the Federal grants program. I know that has been a goal he has pursued for a long time. The chairman is one of the most determined Members of the Senate when it comes to transparency and accountability, and so I am very pleased to be his partner in that particular piece of the bill.

With that, I yield the floor back to Chairman GRASSLEY so he may take us through the formal steps of passing this law. It is a very happy moment for me, and I extend my appreciation to Chairman GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, once again, thanks to Senator WHITEHOUSE for his cooperation and working so hard over the course of the last two Congresses to get this done.

I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 860 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 860) to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Grassley amendment at the desk be considered and agreed to and the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 741) was agreed to, as follows:

(Purpose: To improve the bill)

Beginning on page 40, strike line 23 and all that follows through page 41, line 23.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. GRASSLEY. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there any further debate on the bill?

Hearing none, the bill having been read the third time, the question is, Shall it pass?

The bill (S. 860), as amended, was passed, as follows:

S. 860

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

SEC. 101. PURPOSES.

Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5602) is amended—

(1) in paragraph (1), by inserting '', tribal,'' after ''State'';

(2) in paragraph (2)—

(A) by inserting '', tribal,'' after ''State''; and

(B) by striking ''and'' at the end;

(3) by amending paragraph (3) to read as follows:

''(3) to assist State, tribal, and local governments in addressing juvenile crime through the provision of technical assistance, research, training, evaluation, and the dissemination of current and relevant information on effective and evidence-based programs and practices for combating juvenile delinquency; and''; and

(4) by adding at the end the following:

''(4) to support a continuum of evidence-based or promising programs (including delinquency prevention, intervention, mental health and substance abuse treatment, family services, and services for children exposed to violence) that are trauma informed, reflect the science of adolescent development, and are designed to meet the needs of at-risk youth and youth who come into contact with the justice system.''.

SEC. 102. DEFINITIONS.

Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603) is amended—

(1) in paragraph (8)—

(A) in subparagraph (B)(ii), by adding ''or'' at the end;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(2) by amending paragraph (18) to read as follows:

''(18) the term 'Indian tribe' means a federally recognized Indian tribe or an Alaskan Native organization that has a law enforcement function, as determined by the Secretary of the Interior in consultation with the Attorney General;''.

(3) by amending paragraph (22) to read as follows:

''(22) the term 'jail or lockup for adults' means a secure facility that is used by a State, unit of local government, or law enforcement authority to detain or confine adult inmates;'';

(4) by amending paragraph (25) to read as follows:

''(25) the term 'sight or sound contact' means any physical, clear visual, or verbal contact that is not brief and inadvertent;'';

(5) by amending paragraph (26) to read as follows:

''(26) the term 'adult inmate'—

''(A) means an individual who—

''(i) has reached the age of full criminal responsibility under applicable State law; and

''(ii) has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal offense; and

''(B) does not include an individual who—

''(i) at the time of the offense, was younger than the maximum age at which a youth can be held in a juvenile facility under applicable State law; and

''(ii) was committed to the care and custody or supervision, including post-placement or parole supervision, of a juvenile correctional agency by a court of competent jurisdiction or by operation of applicable State law;'';

(6) in paragraph (28), by striking ''and'' at the end;

(7) in paragraph (29), by striking the period at the end and inserting a semicolon; and

(8) by adding at the end the following:

''(30) the term 'core requirements'—

''(A) means the requirements described in paragraphs (11), (12), (13), and (15) of section 223(a); and

''(B) does not include the data collection requirements described in subparagraphs (A) through (K) of section 207(1);

''(31) the term 'chemical agent' means a spray or injection used to temporarily incapacitate a person, including oleoresin capsicum spray, tear gas, and 2-chlorobenzalmalononitrile gas;

''(32) the term 'isolation'—

''(A) means any instance in which a youth is confined alone for more than 15 minutes in a room or cell; and

''(B) does not include—

''(i) confinement during regularly scheduled sleeping hours;

''(ii) separation based on a treatment program approved by a licensed medical or mental health professional;

''(iii) confinement or separation that is requested by the youth; or

''(iv) the separation of the youth from a group in a nonlocked setting for the limited purpose of calming;

''(33) the term 'restraints' has the meaning given that term in section 591 of the Public Health Service Act (42 U.S.C. 290ii);

''(34) the term 'evidence-based' means a program or practice that—

''(A) is demonstrated to be effective when implemented with fidelity;

''(B) is based on a clearly articulated and empirically supported theory;

''(C) has measurable outcomes relevant to juvenile justice, including a detailed description of the outcomes produced in a particular population, whether urban or rural; and

''(D) has been scientifically tested and proven effective through randomized control studies or comparison group studies and with the ability to replicate and scale;

''(35) the term 'promising' means a program or practice that—

''(A) is demonstrated to be effective based on positive outcomes relevant to juvenile justice from one or more objective, independent, and scientifically valid evaluations, as documented in writing to the Administrator; and

''(B) will be evaluated through a well-designed and rigorous study, as described in paragraph (34)(D);

''(36) the term 'dangerous practice' means an act, procedure, or program that creates an unreasonable risk of physical injury, pain, or psychological harm to a juvenile subjected to the act, procedure, or program;

''(37) the term 'screening' means a brief process—

''(A) designed to identify youth who may have mental health, behavioral health, substance abuse, or other needs requiring immediate attention, intervention, and further evaluation; and

''(B) the purpose of which is to quickly identify a youth with possible mental health, behavioral health, substance abuse, or other needs in need of further assessment;

''(38) the term 'assessment' includes, at a minimum, an interview and review of available records and other pertinent information—

''(A) by an appropriately trained professional who is licensed or certified by the applicable State in the mental health, behavioral health, or substance abuse fields; and

''(B) which is designed to identify significant mental health, behavioral health, or substance abuse treatment needs to be addressed during a youth's confinement;

''(39) for purposes of section 223(a)(15), the term 'contact' means the points at which a youth and the juvenile justice system or criminal justice system officially intersect, including interactions with a juvenile justice, juvenile court, or law enforcement official;

''(40) the term 'trauma-informed' means—

''(A) understanding the impact that exposure to violence and trauma have on a youth's physical, psychological, and psychosocial development;

''(B) recognizing when a youth has been exposed to violence and trauma and is in need

of help to recover from the adverse impacts of trauma; and

''(C) responding in ways that resist retraumatization;

''(41) the term 'racial and ethnic disparity' means minority youth populations are involved at a decision point in the juvenile justice system at higher rates, incrementally or cumulatively, than non-minority youth at that decision point;

''(42) the term 'status offender' means a juvenile who is charged with or who has committed an offense that would not be criminal if committed by an adult;

''(43) the term 'rural' means an area that is not located in a metropolitan statistical area, as defined by the Office of Management and Budget;

''(44) the term 'internal controls' means a process implemented to provide reasonable assurance regarding the achievement of objectives in—

''(A) effectiveness and efficiency of operations, such as grant management practices;

''(B) reliability of reporting for internal and external use; and

''(C) compliance with applicable laws and regulations, as well as recommendations of the Office of Inspector General and the Government Accountability Office; and

''(45) the term 'tribal government' means the governing body of an Indian tribe.''.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.

Section 204 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the first sentence—

(i) by striking ''a long-term plan, and implement'' and inserting the following: ''a long-term plan to improve the juvenile justice system in the United States, taking into account scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents, and shall implement''; and

(ii) by striking ''research, and improvement of the juvenile justice system in the United States'' and inserting ''and research''; and

(B) in paragraph (2)(B), by striking ''Federal Register'' and all that follows and inserting ''Federal Register during the 30-day period ending on October 1 of each year.''; and

(2) in subsection (b)—

(A) by striking paragraph (7);

(B) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(C) by inserting after paragraph (4), the following:

''(5) not later than 1 year after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, in consultation with Indian tribes, develop a policy for the Office of Juvenile Justice and Delinquency Prevention to collaborate with representatives of Indian tribes with a criminal justice function on the implementation of the provisions of this Act relating to Indian tribes;'';

(D) in paragraph (6), as so redesignated, by adding ''and'' at the end; and

(E) in paragraph (7), as so redesignated—

(i) by striking ''monitoring'';

(ii) by striking ''section 223(a)(15)'' and inserting ''section 223(a)(16)''; and

(iii) by striking ''to review the adequacy of such systems; and'' and inserting ''for monitoring compliance.''.

SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

Section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616) is amended—

(1) in subsection (a)

(A) in paragraph (1)—

(i) by inserting ''the Administrator of the Substance Abuse and Mental Health Services Administration, the Secretary of the Interior,'' after ''the Secretary of Health and Human Services,''; and

(ii) by striking ''Commissioner of Immigration and Naturalization'' and inserting ''Assistant Secretary for Immigration and Customs Enforcement''; and

(B) in paragraph (2), by striking ''United States'' and inserting ''Federal Government''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''paragraphs (12)(A), (13), and (14) of section 223(a) of this title'' and inserting ''the core requirements''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting '', on an annual basis'' after ''collectively''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) not later than 120 days after the completion of the last meeting of the Council during any fiscal year, submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on the Judiciary of the Senate a report that—

''(i) contains the recommendations described in subparagraph (A);

''(ii) includes a detailed account of the activities conducted by the Council during the fiscal year, including a complete detailed accounting of expenses incurred by the Council to conduct operations in accordance with this section;

''(iii) is published on the websites of the Office of Juvenile Justice and Delinquency Prevention, the Council, and the Department of Justice; and

''(iv) is in addition to the annual report required under section 207.''.

SEC. 203. ANNUAL REPORT.

Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617) is amended—

(1) in the matter preceding paragraph (1), by striking ''a fiscal year'' and inserting ''each fiscal year'';

(2) in paragraph (1)—

(A) in subparagraph (B), by striking ''and gender'' and inserting '', gender, and ethnicity, as such term is defined by the Bureau of the Census,'';

(B) in subparagraph (E), by striking ''and'' at the end;

(C) in subparagraph (F)—

(i) by inserting ''and other'' before ''disabilities,''; and

(ii) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(G) a summary of data from 1 month of the applicable fiscal year of the use of restraints and isolation upon juveniles held in the custody of secure detention and correctional facilities operated by a State or unit of local government;

''(H) the number of status offense cases petitioned to court, number of status offenders held in secure detention, the findings used to justify the use of secure detention, and the average period of time a status offender was held in secure detention;

''(I) the number of juveniles released from custody and the type of living arrangement to which they are released;

''(J) the number of juveniles whose offense originated on school grounds, during school-sponsored off-campus activities, or due to a referral by a school official, as collected and reported by the Department of Education or similar State educational agency; and

''(K) the number of juveniles in the custody of secure detention and correctional facilities operated by a State or unit of local government who report being pregnant.''; and

(3) by adding at the end the following:

''(5) A description of the criteria used to determine what programs qualify as evidence-based and promising programs under this title and title V and a comprehensive list of those programs the Administrator has determined meet such criteria in both rural and urban areas.

''(6) A description of funding provided to Indian tribes under this Act or for a juvenile delinquency or prevention program under the Tribal Law and Order Act of 2010 (Public Law 111–211; 124 Stat. 2261), including direct Federal grants and funding provided to Indian tribes through a State or unit of local government.

''(7) An analysis and evaluation of the internal controls at the Office of Juvenile Justice and Delinquency Prevention to determine if grantees are following the requirements of the Office of Juvenile Justice and Delinquency Prevention grant programs and what remedial action the Office of Juvenile Justice and Delinquency Prevention has taken to recover any grant funds that are expended in violation of the grant programs, including instances—

''(A) in which supporting documentation was not provided for cost reports;

''(B) where unauthorized expenditures occurred; or

''(C) where subrecipients of grant funds were not compliant with program requirements.

''(8) An analysis and evaluation of the total amount of payments made to grantees that the Office of Juvenile Justice and Delinquency Prevention recouped from grantees that were found to be in violation of policies and procedures of the Office of Juvenile Justice and Delinquency Prevention grant programs, including—

''(A) the full name and location of the grantee;

''(B) the violation of the program found;

''(C) the amount of funds sought to be recouped by the Office of Juvenile Justice and Delinquency Prevention; and

''(D) the actual amount recouped by the Office of Juvenile Justice and Delinquency Prevention.''.

SEC. 204. ALLOCATION OF FUNDS.

(a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5631(b)(1)) is amended by striking ''2 percent'' and inserting ''5 percent''.

(b) OTHER ALLOCATIONS.—Section 222 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5632) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''age eighteen'' and inserting ''18 years of age, based on the most recent data available from the Bureau of the Census''; and

(B) by striking paragraphs (2) and (3) and inserting the following:

''(2)(A) If the aggregate amount appropriated for a fiscal year to carry out this title is less than $75,000,000, then—

''(i) the amount allocated to each State other than a State described in clause (ii) for that fiscal year shall be not less than $400,000; and

''(ii) the amount allocated to the United States Virgin Islands, Guam, American

Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than $75,000.

''(B) If the aggregate amount appropriated for a fiscal year to carry out this title is not less than $75,000,000, then—

''(i) the amount allocated to each State other than a State described in clause (ii) for that fiscal year shall be not less than $600,000; and

''(ii) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than $100,000.'';

(2) in subsection (c), by striking ''efficient administration, including monitoring, evaluation, and one full-time staff position'' and inserting ''effective and efficient administration of funds, including the designation of not less than 1 individual who shall coordinate efforts to achieve and sustain compliance with the core requirements and certify whether the State is in compliance with such requirements''; and

(3) in subsection (d), by striking ''5 per centum of the minimum'' and inserting ''not more than 5 percent of the''.

SEC. 205. STATE PLANS.

Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''and shall describe the status of compliance with State plan requirements.'' and inserting ''and shall describe how the State plan is supported by or takes account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents. Not later than 60 days after the date on which a plan or amended plan submitted under this subsection is finalized, a State shall make the plan or amended plan publicly available by posting the plan or amended plan on the State's publicly available website.'';

(B) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (i), by inserting ''adolescent development,'' after ''concerning'';

(II) in clause (ii)—

(aa) in subclause (II), by striking ''counsel for children and youth'' and inserting ''publicly supported court-appointed legal counsel for juveniles charged with an act of juvenile delinquency or a status offense, consistent with other Federal law'';

(bb) in subclause (III), by striking ''mental health, education, special education'' and inserting ''child and adolescent mental health, education, child and adolescent substance abuse, special education, services for youth with disabilities'';

(cc) in subclause (V), by striking ''delinquents or potential delinquents'' and inserting ''delinquent youth or youth at risk of delinquency'';

(dd) in subclause (VI), by striking ''youth workers involved with'' and inserting ''representatives of'';

(ee) in subclause (VII), by striking ''and'' at the end;

(ff) by striking subclause (VIII) and inserting the following:

''(VIII) persons, licensed or certified by the applicable State, with expertise and competence in preventing and addressing mental health and substance abuse needs in juvenile delinquents and those at-risk of delinquency;

''(IX) representatives of victim or witness advocacy groups, including at least 1 individual with expertise in addressing the challenges of sexual abuse and exploitation and trauma; and

''(X) for a State in which one or more Indian tribes are located, an Indian tribal representative or, if such Indian tribal representative is unavailable, other individual with significant expertise in tribal law enforcement and juvenile justice in Indian tribal communities;'';

(III) in clause (iv), by striking ''24 at the time of appointment'' and inserting ''28 at the time of initial appointment''; and

(IV) in clause (v) by inserting ''or, if not feasible and in appropriate circumstances, who is the parent or guardian of someone who has been or is currently under the jurisdiction of the juvenile justice system'' after ''juvenile justice system'';

(ii) in subparagraph (C), by striking ''30 days'' and inserting ''45 days''; and

(iii) in subparagraph (D)(ii), by striking ''at least annually recommendations regarding State compliance with the requirements of paragraphs (11), (12), and (13)'' and inserting ''at least every 2 years a report and necessary recommendations regarding State compliance with the core requirements''; and

(iv) in subparagraph (E)—

(I) in clause (i), by adding ''and'' at the end; and

(II) in clause (ii), by striking the period at the end and inserting a semicolon;

(C) in paragraph (5)(C), by striking ''Indian tribes'' and all that follows through ''applicable to the detention and confinement of juveniles'' and inserting ''Indian tribes that agree to attempt to comply with the core requirements applicable to the detention and confinement of juveniles'';

(D) in paragraph (7)—

(i) in subparagraph (A), by striking ''performs law enforcement functions'' and inserting ''has jurisdiction''; and

(ii) in subparagraph (B)—

(I) in clause (iii), by striking ''and'' at the end; and

(II) by striking clause (iv) and inserting the following:

''(iv) a plan to provide alternatives to detention for status offenders, juveniles who have been induced to perform commercial sex acts, and others, where appropriate, such as specialized or problem-solving courts or diversion to home-based or community-based services or treatment for those youth in need of mental health, substance abuse, or co-occurring disorder services at the time such juveniles first come into contact with the juvenile justice system;

''(v) a plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs;

''(vi) a plan to engage family members, where appropriate, in the design and delivery of juvenile delinquency prevention and treatment services, particularly post-placement;

''(vii) a plan to use community-based services to respond to the needs of at-risk youth or youth who have come into contact with the juvenile justice system;

''(viii) a plan to promote evidence-based and trauma-informed programs and practices; and

''(ix) not later than 1 year after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, a plan, which shall be implemented not later than 2 years after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, to—

''(I) eliminate the use of restraints of known pregnant juveniles housed in secure juvenile detention and correction facilities, during labor, delivery, and post-partum recovery, unless credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; and

''(II) eliminate the use of abdominal restraints, leg and ankle restraints, wrist restraints behind the back, and four-point restraints on known pregnant juveniles, unless—

''(aa) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; or

''(bb) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method;'';

(E) in paragraph (8), by striking ''existing'' and inserting ''evidence-based and promising'';

(F) in paragraph (9)—

(i) in the matter preceding subparagraph (A), by inserting '', with priority in funding given to entities meeting the criteria for evidence-based or promising programs'' after ''used for'';

(ii) in subparagraph (A)(i), by inserting ''status offenders and other'' before ''youth who need'';

(iii) in subparagraph (B)(i)—

(I) by striking ''parents and other family members'' and inserting ''status offenders, other youth, and the parents and other family members of such offenders and youth''; and

(II) by striking ''be retained'' and inserting ''remain'';

(iv) in subparagraph (E)—

(I) in the matter preceding clause (i), by striking ''delinquent'' and inserting ''at-risk or delinquent youth''; and

(II) in clause (i), by inserting '', including for truancy prevention and reduction'' before the semicolon;

(v) by redesignating subparagraphs (G) through (S) as subparagraphs (H) through (T), respectively;

(vi) in subparagraph (F), in the matter preceding clause (i), by striking ''expanding'' and inserting ''programs to expand'';

(vii) by inserting after subparagraph (F), the following:

''(G) expanding access to publicly supported, court-appointed legal counsel and enhancing capacity for the competent representation of every child, consistent with other Federal law;'';

(viii) in subparagraph (H), as so redesignated, by striking ''State,'' each place the term appears and inserting ''State, tribal,'';

(ix) in subparagraph (M), as so redesignated—

(I) in clause (i)—

(aa) by inserting ''pre-adjudication and'' before ''post-adjudication'';

(bb) by striking ''restraints'' and inserting ''alternatives''; and

(cc) by inserting ''specialized or problem-solving courts,'' after ''(including''; and

(II) in clause (ii)—

(aa) by striking ''by the provision by the Administrator''; and

(bb) by striking ''to States'';

(x) in subparagraph (N), as redesignated—

(I) by inserting ''and reduce the risk of recidivism'' after ''families''; and

(II) by striking ''so that juveniles may be retained in their homes'';

(xi) in subparagraph (S), as so redesignated, by striking ''and'' at the end;

(xii) in subparagraph (T), as so redesignated—

(I) by inserting ''or co-occurring disorder'' after ''mental health'';

(II) by inserting ''court-involved or'' before ''incarcerated'';

(III) by striking ''suspected to be'';

(IV) by striking ''and discharge plans'' and inserting ''provision of treatment, and development of discharge plans''; and

(V) by striking the period at the end and inserting a semicolon; and

(xiii) by inserting after subparagraph (T) the following:

''(U) programs and projects designed to inform juveniles of the opportunity and process for expunging juvenile records and to assist juveniles in pursuing juvenile record expungements for both adjudications and arrests not followed by adjudications;

''(V) programs that address the needs of girls in or at risk of entering the juvenile justice system, including pregnant girls, young mothers, survivors of commercial sexual exploitation or domestic child sex trafficking, girls with disabilities, and girls of color, including girls who are members of an Indian tribe; and

''(W) monitoring for compliance with the core requirements and providing training and technical assistance on the core requirements to secure facilities;'';

(G) by striking paragraph (11) and inserting the following:

''(11)(A) in accordance with rules issued by the Administrator, provide that a juvenile shall not be placed in a secure detention facility or a secure correctional facility, if—

''(i) the juvenile is charged with or has committed an offense that would not be criminal if committed by an adult, excluding—

''(I) a juvenile who is charged with or has committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;

''(II) a juvenile who is charged with or has committed a violation of a valid court order issued and reviewed in accordance with paragraph (23); and

''(III) a juvenile who is held in accordance with the Interstate Compact on Juveniles as enacted by the State; or

''(ii) the juvenile—

''(I) is not charged with any offense; and

''(II)(aa) is an alien; or

''(bb) is alleged to be dependent, neglected, or abused; and

''(B) require that—

''(i) not later than 3 years after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, unless a court finds, after a hearing and in writing, that it is in the interest of justice, juveniles awaiting trial or other legal process who are treated as adults for purposes of prosecution in criminal court and housed in a secure facility—

''(I) shall not have sight or sound contact with adult inmates; and

''(II) except as provided in paragraph (13), may not be held in any jail or lockup for adults;

''(ii) in determining under subparagraph (A) whether it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults, or have sight or sound contact with adult inmates, a court shall consider—

''(I) the age of the juvenile;

''(II) the physical and mental maturity of the juvenile;

''(III) the present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile;

''(IV) the nature and circumstances of the alleged offense;

''(V) the juvenile's history of prior delinquent acts;

''(VI) the relative ability of the available adult and juvenile detention facilities to not only meet the specific needs of the juvenile but also to protect the safety of the public as well as other detained youth; and

''(VII) any other relevant factor; and

''(iii) if a court determines under subparagraph (A) that it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults—

''(I) the court shall hold a hearing not less frequently than once every 30 days, or in the case of a rural jurisdiction, not less frequently than once every 45 days, to review whether it is still in the interest of justice to permit the juvenile to be so held or have such sight or sound contact; and

''(II) the juvenile shall not be held in any jail or lockup for adults, or permitted to have sight or sound contact with adult inmates, for more than 180 days, unless the court, in writing, determines there is good cause for an extension or the juvenile expressly waives this limitation;''.

(H) in paragraph (12)(A), by striking ''contact'' and inserting ''sight or sound contact'';

(I) in paragraph (13), by striking ''contact'' each place it appears and inserting ''sight or sound contact'';

(J) by striking paragraphs (22) and (27);

(K) by redesignating paragraph (28) as paragraph (27);

(L) by redesignating paragraphs (15) through (21) as paragraphs (16) through (22), respectively;

(M) by inserting after paragraph (14) the following:

''(15) implement policy, practice, and system improvement strategies at the State, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas, by—

''(A) establishing or designating existing coordinating bodies, composed of juvenile justice stakeholders, (including representatives of the educational system) at the State, local, or tribal levels, to advise efforts by States, units of local government, and Indian tribes to reduce racial and ethnic disparities;

''(B) identifying and analyzing key decision points in State, local, or tribal juvenile justice systems to determine which points create racial and ethnic disparities among youth who come into contact with the juvenile justice system; and

''(C) developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under subparagraph (B);'';

(N) in paragraph (15), as so redesignated—

(i) by striking ''adequate system'' and inserting ''effective system'';

(ii) by inserting ''lock-ups,'' after ''monitoring jails,'';

(iii) by inserting ''and'' after ''detention facilities,'';

(iv) by striking '', and non-secure facilities'';

(v) by striking ''insure'' and inserting ''ensure'';

(vi) by striking ''requirements of paragraph (11),'' and all that follows through ''monitoring to the Administrator'' and inserting ''core requirements are met, and for annual reporting to the Administrator''; and

(vii) by striking '', in the opinion of the Administrator,'';

(O) in paragraph (16), as so redesignated, by inserting ''ethnicity,'' after ''race,'';

(P) in paragraph (21), as so redesignated, by striking ''local,'' each place the term appears and inserting ''local, tribal,'';

(Q) in paragraph (23)—

(i) in subparagraphs (A), (B), and (C), by striking ''juvenile'' each place it appears and inserting ''status offender'';

(ii) in subparagraph (B), by striking ''and'' at the end;

(iii) in subparagraph (C)—

(I) in clause (i), by striking ''and'' at the end;

(II) in clause (ii), by adding ''and'' at the end; and

(III) by adding at the end the following:

''(iii) if such court determines the status offender should be placed in a secure detention facility or correctional facility for violating such order—

''(I) the court shall issue a written order that—

''(aa) identifies the valid court order that has been violated;

''(bb) specifies the factual basis for determining that there is reasonable cause to believe that the status offender has violated such order;

''(cc) includes findings of fact to support a determination that there is no appropriate less restrictive alternative available to placing the status offender in such a facility, with due consideration to the best interest of the juvenile;

''(dd) specifies the length of time, not to exceed 7 days, that the status offender may remain in a secure detention facility or correctional facility, and includes a plan for the status offender's release from such facility; and

''(ee) may not be renewed or extended; and

''(II) the court may not issue a second or subsequent order described in subclause (I) relating to a status offender, unless the status offender violates a valid court order after the date on which the court issues an order described in subclause (I);''; and

(iv) by adding at the end the following:

''(D) there are procedures in place to ensure that any status offender held in a secure detention facility or correctional facility pursuant to a court order described in this paragraph does not remain in custody longer than 7 days or the length of time authorized by the court, whichever is shorter; and''

(R) in paragraph (26)—

(i) by inserting ''and in accordance with confidentiality concerns,'' after ''maximum extent practicable,''; and

(ii) by striking the semicolon at the end and inserting the following: '', so as to provide for—

''(A) data in child abuse or neglect reports relating to juveniles entering the juvenile justice system with a prior reported history of arrest, court intake, probation and parole, juvenile detention, and corrections; and

''(B) a plan to use the data described in subparagraph (A) to provide necessary services for the treatment of such victims of child abuse or neglect;'';

(S) in paragraph (27), as so redesignated, by striking the period at the end and inserting a semicolon; and

(T) by adding at the end the following:

''(28) provide for the coordinated use of funds provided under this Act with other Federal and State funds directed at juvenile delinquency prevention and intervention programs;

''(29) describe the policies, procedures, and training in effect for the staff of juvenile State correctional facilities to eliminate the use of dangerous practices, unreasonable restraints, and unreasonable isolation, including by developing effective behavior management techniques;

''(30) describe—

''(A) the evidence-based methods that will be used to conduct mental health and substance abuse screening, assessment, referral, and treatment for juveniles who—

''(i) request a screening;

''(ii) show signs of needing a screening; or

''(iii) are held for a period of more than 24 hours in a secure facility that provides for an initial screening; and

''(B) how the State will seek, to the extent practicable, to provide or arrange for mental

health and substance abuse disorder treatment for juveniles determined to be in need of such treatment;

''(31) describe how reentry planning by the State for juveniles will include—

''(A) a written case plan based on an assessment of needs that includes—

''(i) the pre-release and post-release plans for the juveniles;

''(ii) the living arrangement to which the juveniles are to be discharged; and

''(iii) any other plans developed for the juveniles based on an individualized assessment; and

''(B) review processes;

''(32) provide that the agency of the State receiving funds under this Act collaborate with the State educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that, in order to support educational progress—

''(A) the student records of adjudicated juveniles, including electronic records if available, are transferred in a timely manner from the educational program in the juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll;

''(B) the credits of adjudicated juveniles are transferred; and

''(C) adjudicated juveniles receive full or partial credit toward high school graduation for secondary school coursework satisfactorily completed before and during the period of time during which the juveniles are held in custody, regardless of the local educational agency or entity from which the credits were earned; and

''(33) describe policies and procedures to—

''(A) screen for, identify, and document in records of the State the identification of victims of domestic human trafficking, or those at risk of such trafficking, upon intake; and

''(B) divert youth described in subparagraph (A) to appropriate programs or services, to the extent practicable.'';

(2) in subsection (d)—

(A) by striking ''described in paragraphs (11), (12), (13), and (21) of subsection (a)'' and inserting ''described in the core requirements''; and

(B) by striking ''the requirements under paragraphs (11), (12), (13), and (21) of subsection (a)'' and inserting ''the core requirements'';

(3) in subsection (f)(2)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B) through (E) and subparagraphs (A) through (D), respectively; and

(4) by adding at the end the following:

''(g) COMPLIANCE DETERMINATION.—

''(1) IN GENERAL.—For each fiscal year, the Administrator shall make a determination regarding whether each State receiving a grant under this Act is in compliance or out of compliance with respect to each of the core requirements.

''(2) REPORTING.—The Administrator shall—

''(A) issue an annual public report—

''(i) describing any determination described in paragraph (1) made during the previous year, including a summary of the information on which the determination is based and the actions to be taken by the Administrator (including a description of any reduction imposed under subsection (c)); and

''(ii) for any such determination that a State is out of compliance with any of the core requirements, describing the basis for the determination; and

''(B) make the report described in subparagraph (A) available on a publicly available website.

''(3) DETERMINATIONS REQUIRED.—The Administrator may not—

''(A) determine that a State is 'not out of compliance', or issue any other determination not described in paragraph (1), with respect to any core requirement; or

''(B) otherwise fail to make the compliance determinations required under paragraph (1).''.

SEC. 206. REALLOCATION OF GRANT FUNDS.

Section 223(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(c)) is amended to read as follows:

''(c)(1) If a State fails to comply with any of the core requirements in any fiscal year, then—

''(A) subject to subparagraph (B), the amount allocated to such State under section 222 for the subsequent fiscal year shall be reduced by not less than 20 percent for each core requirement with respect to which the failure occurs; and

''(B) the State shall be ineligible to receive any allocation under such section for such fiscal year unless—

''(i) the State agrees to expend 50 percent of the amount allocated to the State for such fiscal year to achieve compliance with any such paragraph with respect to which the State is in noncompliance; or

''(ii) the Administrator determines that the State—

''(I) has achieved substantial compliance with such applicable requirements with respect to which the State was not in compliance; and

''(II) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.

''(2) Of the total amount of funds not allocated for a fiscal year under paragraph (1)—

''(A) 50 percent of the unallocated funds shall be reallocated under section 222 to States that have not failed to comply with the core requirements; and

''(B) 50 percent of the unallocated funds shall be used by the Administrator to provide additional training and technical assistance to States for the purpose of promoting compliance with the core requirements.''.

SEC. 207. AUTHORITY TO MAKE GRANTS.

Section 241(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651(a)) is amended—

(1) in paragraph (1), by inserting ''status offenders,'' before ''juvenile offenders, and juveniles'';

(2) in paragraph (2)(A), by inserting before the semicolon at the end the following: '', including for truancy prevention and reduction and social and independent living skills development'';

(3) in paragraph (4), by striking ''State,'' each place the term appears and inserting ''State, tribal,'';

(4) in paragraph (5), by striking ''juvenile offenders and juveniles'' and inserting ''status offenders, juvenile offenders, and juveniles''; and

(5) in paragraph (10), by inserting '', including juveniles with disabilities'' before the semicolon.

SEC. 208. ELIGIBILITY OF STATES.

Section 243(a)(1)(A) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5653(a)(1)(A)) is amended by striking ''5'' and inserting ''10''.

SEC. 209. GRANTS TO INDIAN TRIBES.

Section 246(a)(2) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5656(a)(2)) is amended—

(1) by striking subparagraph (A);

(2) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively; and

(3) in subparagraph (B)(ii), as redesignated, by striking ''subparagraph (B)'' and inserting ''subparagraph (A)''.

SEC. 210. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION.

Section 251 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5661) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter proceeding subparagraph (A), by striking ''may'' and inserting ''shall'';

(ii) in subparagraph (A), by striking ''plan and identify'' and inserting ''annually publish a plan to identify''; and

(iii) in subparagraph (B)—

(I) by striking clause (iii) and inserting the following:

''(iii) successful efforts to prevent status offenders and first-time minor offenders from subsequent involvement with the juvenile justice and criminal justice systems;'';

(II) by striking clause (vii) and inserting the following:

''(vii) the prevalence and duration of behavioral health needs (including mental health, substance abuse, and co-occurring disorders) among juveniles pre-placement and post-placement when held in the custody of secure detention and corrections facilities, including an examination of the effects of confinement;'';

(III) by redesignating clauses (ix), (x), and (xi) as clauses (xv), (xvi), and (xvii), respectively; and

(IV) by inserting after clause (viii) the following:

''(ix) training efforts and reforms that have produced reductions in or elimination of the use of dangerous practices;

''(x) methods to improve the recruitment, selection, training, and retention of professional personnel who are focused on the prevention, identification, and treatment of delinquency;

''(xi) methods to improve the identification and response to victims of domestic child sex trafficking within the juvenile justice system;

''(xii) identifying positive outcome measures, such as attainment of employment and educational degrees, that States and units of local government should use to evaluate the success of programs aimed at reducing recidivism of youth who have come in contact with the juvenile justice system or criminal justice system;

''(xiii) evaluating the impact and outcomes of the prosecution and sentencing of juveniles as adults;

''(xiv) successful and cost-effective efforts by States and units of local government to reduce recidivism through policies that provide for consideration of appropriate alternative sanctions to incarceration of youth facing nonviolent charges, while ensuring that public safety is preserved;''; and

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by striking ''date of enactment of this paragraph, the'' and inserting ''date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, the'';

(ii) in subparagraph (D), by inserting ''and Indian tribes'' after ''State'';

(iii) in subparagraph (F), by striking ''and'' at the end;

(iv) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

''(H) a description of the best practices in discharge planning; and

''(I) an assessment of living arrangements for juveniles who, upon release from confinement in a State correctional facility, cannot return to the residence they occupied prior to such confinement.'';

(2) in subsection (b), in the matter preceding paragraph (1), by striking ''may'' and inserting ''shall''; and

(3) by adding at the end the following:

''(f) NATIONAL RECIDIVISM MEASURE.—The Administrator, in consultation with experts in the field of juvenile justice research, recidivism, and data collection, shall—

''(1) establish a uniform method of data collection and technology that States may use to evaluate data on juvenile recidivism on an annual basis;

''(2) establish a common national juvenile recidivism measurement system; and

''(3) make cumulative juvenile recidivism data that is collected from States available to the public.

''(g) GAO REVIEW.—Not later than 1 year after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, the Comptroller General of the United States shall conduct a review of available research conducted by the Attorney General, the Secretary of the Interior, and other Federal entities relating to Indian youth who may come into contact with the juvenile justice system, which shall include—

''(1) an examination of the extent of Indian youth involvement in the juvenile justice system, including the number of Indian youth in Federal, State, or tribal custody or detention for offenses committed while under the age of 18;

''(2) a description of the unique barriers faced by Indian tribes in providing adequate services to rehabilitate youth who have been adjudicated as delinquent; and

''(3) recommendations to improve effectiveness of prevention and treatment services for Indian youth who may come into contact with the juvenile justice system.''.

SEC. 211. TRAINING AND TECHNICAL ASSISTANCE.

Section 252 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5662) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''may'';

(B) in paragraph (1)—

(i) by inserting ''shall'' before ''develop and carry out projects''; and

(ii) by striking ''and'' after the semicolon;

(C) in paragraph (2)—

(i) by inserting ''may'' before ''make grants to and contracts with''; and

(ii) by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(3) shall provide periodic training for States regarding implementation of the core requirements, current protocols and best practices for achieving and monitoring compliance, and information sharing regarding relevant Office resources on evidence-based and promising programs or practices that promote the purposes of this Act.'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''may'';

(B) in paragraph (1)—

(i) by inserting ''shall'' before ''develop and implement projects'';

(ii) by inserting '', including compliance with the core requirements'' after ''this title''; and

(iii) by striking ''and'' at the end;

(C) in paragraph (2)—

(i) by inserting ''may'' before ''make grants to and contracts with''; and

(ii) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) shall provide technical assistance to States and units of local government on achieving compliance with the amendments to the core requirements and State Plans made by the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, including training and technical assistance and, when appropriate, pilot or demonstration projects intended to develop and replicate best practices for achieving sight and sound separation in facilities or portions of facilities that are open and available to the general public and that may or may not contain a jail or a lock-up; and

''(4) shall provide technical assistance to States in support of efforts to establish partnerships between a State and a university, institution of higher education, or research center designed to improve the recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, the judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency.'';

(3) in subsection (c)—

(A) by inserting ''prosecutors,'' after ''public defenders,''; and

(B) by inserting ''status offenders and'' after ''needs of''; and

(4) by adding at the end the following:

''(d) TECHNICAL ASSISTANCE TO STATES REGARDING LEGAL REPRESENTATION OF CHILDREN.—In consultation with experts in the field of juvenile defense, the Administrator shall—

''(1) develop and issue standards of practice for attorneys representing children; and

''(2) ensure that the standards issued under paragraph (1) are adapted for use in States.

''(e) TRAINING AND TECHNICAL ASSISTANCE FOR LOCAL AND STATE JUVENILE DETENTION AND CORRECTIONS PERSONNEL.—The Administrator shall coordinate training and technical assistance programs with juvenile detention and corrections personnel of States and units of local government to—

''(1) promote methods for improving conditions of juvenile confinement, including methods that are designed to minimize the use of dangerous practices, unreasonable restraints, and isolation; and

''(2) encourage alternative behavior management techniques based on positive youth development approaches.

''(f) TRAINING AND TECHNICAL ASSISTANCE TO SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE TREATMENT INCLUDING HOME-BASED OR COMMUNITY-BASED CARE.—The Administrator shall provide training and technical assistance, in conjunction with the appropriate public agencies, to individuals involved in making decisions regarding the disposition and management of cases for youth who enter the juvenile justice system about the appropriate services and placement for youth with mental health or substance abuse needs, including—

''(1) juvenile justice intake personnel;

''(2) probation officers;

''(3) juvenile court judges and court services personnel;

''(4) prosecutors and court-appointed counsel; and

''(5) family members of juveniles and family advocates.

''(g) GRANTS FOR JUVENILE COURT JUDGES AND PERSONNEL.—The Attorney General, acting through the Office of Juvenile Justice and Delinquency Prevention and the Office of Justice Programs, shall make grants to improve training, education, technical assistance, evaluation, and research to enhance the capacity of State and local courts, judges, and related judicial personnel to—

''(1) improve the lives of children currently involved in or at risk of being involved in the juvenile court system; and

''(2) carry out the requirements of this Act.

''(h) FREE AND REDUCED PRICE SCHOOL LUNCHES FOR INCARCERATED JUVENILES.—The Attorney General, in consultation with the Secretary of Agriculture, shall provide guidance to States relating to existing options for school food authorities in the States to apply for reimbursement for free or reduced price lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) for juveniles who are incarcerated and would, if not incarcerated, be eligible for free or reduced price lunches under that Act.''.

SEC. 212. ADMINISTRATIVE AUTHORITY.

Section 299A of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5672) is amended—

(1) in subsection (d)—

(A) by inserting ''(1)'' before ''The Administrator'';

(B) by striking '', after appropriate consultation with representatives of States and units of local government,'';

(C) by inserting ''guidance,'' after ''regulations,''; and

(D) by adding at the end the following: ''In developing guidance and procedures, the Administrator shall consult with representatives of States and units of local government, including those individuals responsible for administration of this Act and compliance with the core requirements.

''(2) The Administrator shall ensure that—

''(A) reporting, compliance reporting, State plan requirements, and other similar documentation as may be required from States is requested in a manner that encourages efficiency and reduces the duplication of reporting efforts; and

''(B) States meeting all the core requirements are encouraged to experiment with offering innovative, data-driven programs designed to further improve the juvenile justice system.''; and

(2) in subsection (e), by striking ''requirements described in paragraphs (11), (12), and (13) of section 223(a)'' and inserting ''core requirements''.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

SEC. 301. DEFINITIONS.

Section 502 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5781) is amended—

(1) in the section heading, by striking ''DEFINITION'' and inserting ''DEFINITIONS''; and

(2) by striking ''this title, the term'' and inserting the following: ''this title—

''(1) the term 'mentoring' means matching 1 adult with one or more youths for the purpose of providing guidance, support, and encouragement through regularly scheduled meetings for not less than 9 months; and

''(2) the term''.

SEC. 302. GRANTS FOR DELINQUENCY PREVENTION PROGRAMS.

Section 504(a) of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5783(a)) is amended—

(1) in paragraph (7), by striking ''and'' at the end;

(2) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(9) mentoring, parent training and support, or in-home family services programs, if such programs are evidence-based or promising.''.

SEC. 303. TECHNICAL AND CONFORMING AMENDMENT.

The Juvenile Justice and Delinquency Prevention Act of 1974 is amended by striking

title V, as added by the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93–415; 88 Stat. 1133) (relating to miscellaneous and conforming amendments).

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.

(a) EVALUATION.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a comprehensive analysis and evaluation regarding the performance of the Office of Juvenile Justice and Delinquency Prevention (referred to in this section as ''the agency''), its functions, its programs, and its grants;

(2) conduct a comprehensive audit and evaluation of a selected, sample of grantees (as determined by the Comptroller General) that receive Federal funds under grant programs administered by the agency including a review of internal controls (as defined in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603), as amended by this Act) to prevent fraud, waste, and abuse of funds by grantees; and

(3) submit a report in accordance with subsection (d).

(b) CONSIDERATIONS FOR EVALUATION.—In conducting the analysis and evaluation under subsection (a)(1), and in order to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.), the Comptroller General shall take into consideration—

(1) the outcome and results of the programs carried out by the agency and those programs administered through grants by the agency;

(2) the extent to which the agency has complied with the Government Performance and Results Act of 1993 (Public Law 103–62; 107 Stat. 285);

(3) the extent to which the jurisdiction of, and the programs administered by, the agency duplicate or conflict with the jurisdiction and programs of other agencies;

(4) the potential benefits of consolidating programs administered by the agency with similar or duplicative programs of other agencies, and the potential for consolidating those programs;

(5) whether less restrictive or alternative methods exist to carry out the functions of the agency and whether current functions or operations are impeded or enhanced by existing statutes, rules, and procedures;

(6) the number and types of beneficiaries or persons served by programs carried out by the agency;

(7) the manner with which the agency seeks public input and input from State and local governments on the performance of the functions of the agency;

(8) the extent to which the agency complies with section 552 of title 5, United States Code (commonly known as the Freedom of Information Act);

(9) whether greater oversight is needed of programs developed with grants made by the agency; and

(10) the extent to which changes are necessary in the authorizing statutes of the agency in order for the functions of the agency to be performed in a more efficient and effective manner.

(c) CONSIDERATIONS FOR AUDITS.—In conducting the audit and evaluation under subsection (a)(2), and in order to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.), the Comptroller General shall take into consideration—

(1) whether grantees timely file Financial Status Reports;

(2) whether grantees have sufficient internal controls to ensure adequate oversight of grant fund received;

(3) whether disbursements were accompanied with adequate supporting documentation (including invoices and receipts);

(4) whether expenditures were authorized;

(5) whether subrecipients of grant funds were complying with program requirements;

(6) whether salaries and fringe benefits of personnel were adequately supported by documentation;

(7) whether contracts were bid in accordance with program guidelines; and

(8) whether grant funds were spent in accordance with program goals and guidelines.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(A) submit a report regarding the evaluation conducted under subsection (a) and audit under subsection (b), to the Speaker of the House of Representatives and the President pro tempore of the Senate; and

(B) make the report described in subparagraph (A) available to the public.

(2) CONTENTS.—The report submitted in accordance with paragraph (1) shall include all audit findings determined by the selected, statistically significant sample of grantees as required by subsection (a)(2) and shall include the name and location of any selected grantee as well as any findings required by subsection (a)(2).

SEC. 402. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by adding at the end the following:

''TITLE VI—AUTHORIZATION OF APPROPRIATIONS; ACCOUNTABILITY AND OVERSIGHT

''SEC. 601. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act—

''(1) $160,000,000 for fiscal year 2017;

''(2) $162,400,000 for fiscal year 2018;

''(3) $164,836,000 for fiscal year 2019;

''(4) $167,308,540 for fiscal year 2020; and

''(5) $169,818,168 for fiscal year 2021.

''(b) MENTORING PROGRAMS.—Not more than 20 percent of the amount authorized to be appropriated under subsection (a) for a fiscal year may be used for mentoring programs.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The Juvenile Justice and Delinquency Prevention Act of 1974 is amended by striking—

(1) section 299 (42 U.S.C. 5671);

(2) section 388 (42 U.S.C. 5751);

(3) section 408 (42 U.S.C. 5777); and

(4) section 505 (42 U.S.C. 5784).

SEC. 403. ACCOUNTABILITY AND OVERSIGHT.

(a) IN GENERAL.—Title VI of the Juvenile Justice and Delinquency Prevention Act of 1974, as added by this Act, is amended by adding at the end the following:

''SEC. 602. ACCOUNTABILITY AND OVERSIGHT.

''(a) SENSE OF CONGRESS.—It is the sense of Congress that, in order to ensure that at-risk youth and youth who come into contact with the juvenile justice system or the criminal justice system are treated fairly and the outcome of that contact is beneficial to the Nation—

''(1) the Department of Justice, through its Office of Juvenile Justice and Delinquency Prevention, must restore meaningful enforcement of the core requirements in this Act;

''(2) the Attorney General should, not later than 90 days after the date of enactment of this Act, issue a proposed rule to update existing Federal regulations used to make State compliance determinations and provide participating States with technical assistance to develop more effective and comprehensive data collection systems; and

''(3) States, which are entrusted with a fiscal stewardship role if they accept funds under this Act, must exercise vigilant oversight to ensure full compliance with the core requirements for juveniles provided for in this Act.

''(b) ACCOUNTABILITY.—

''(1) AGENCY PROGRAM REVIEW.—

''(A) PROGRAMMATIC AND FINANCIAL ASSESSMENT.—

''(i) IN GENERAL.—Not later than 60 days after the date of enactment of this section, the Director of the Office of Audit, Assessment, and Management of the Office of Justice Programs at the Department of Justice (referred to in this section as the 'Director') shall—

''(I) conduct a comprehensive analysis and evaluation of the internal controls of the Office of Juvenile Justice and Delinquency Prevention (referred to in this section as the 'agency') to determine if States and Indian tribes receiving grants are following the requirements of the agency grant programs and what remedial action the agency has taken to recover any grant funds that are expended in violation of grant programs, including instances where—

''(aa) supporting documentation was not provided for cost reports;

''(bb) unauthorized expenditures occurred; and

''(cc) subrecipients of grant funds were not compliance with program requirements;

''(II) conduct a comprehensive audit and evaluation of a selected statistically significant sample of States and Indian tribes (as determined by the Director) that have received Federal funds under this Act, including a review of internal controls to prevent fraud, waste, and abuse of funds by grantees;

''(III) submit a report in accordance with clause (iv).

''(ii) CONSIDERATIONS FOR EVALUATIONS.—In conducting the analysis and evaluation under clause (i)(I), and in order to document the efficiency and public benefit of this Act, excluding the Runaway and Homeless Youth Act and the Missing Children's Assistance Act, the Director shall take into consideration the extent to which—

''(I) greater oversight is needed of programs developed with grants made by the agency;

''(II) changes are necessary in the authorizing statutes of the agency in order that the functions of the agency can be performed in a more efficient and effective manner; and

''(III) the agency has implemented recommendations issued by the Comptroller General or Office of Inspector General relating to the grant making and grant monitoring responsibilities of the agency.

''(iii) CONSIDERATIONS FOR AUDITS.—In conducting the audit and evaluation under clause (i)(II), and in order to document the efficiency and public benefit of this Act, excluding the Runaway and Homeless Youth Act and the Missing Children's Assistance Act, the Director shall take into consideration—

''(I) whether grantees timely file Financial Status Reports;

''(II) whether grantees have sufficient internal controls to ensure adequate oversight of grant funds received;

''(III) whether grantees' assertions of compliance with the core requirements were accompanied with adequate supporting documentation;

''(IV) whether expenditures were authorized;

''(V) whether subrecipients of grant funds were complying with program requirements; and

''(VI) whether grant funds were spent in accordance with the program goals and guidelines.

''(iv) REPORT.—The Director shall submit to Congress a report outlining the results of the analysis, evaluation, and audit conducted under clause (i), including supporting materials, to the Speaker of the House of Representatives and the President pro tempore of the Senate and shall make such report available to the public online, not later than 1 year after the date of enactment of this section.

''(B) ANALYSIS OF INTERNAL CONTROLS.—

''(i) IN GENERAL.—Not later than 30 days after the date of enactment of this section, the Administrator shall initiate a comprehensive analysis and evaluation of the internal controls of the agency to determine whether, and to what extent, States and Indian tribes that receive grants under this Act are following the requirements of the grant programs authorized under this Act.

''(ii) REPORT.—Not later than 180 days after the date of enactment of this section, the Administrator shall submit to Congress a report containing—

''(I) the findings of the analysis and evaluation conducted under clause (i);

''(II) a description of remedial actions, if any, that will be taken by the Administrator to enhance the internal controls of the agency and recoup funds that may have been expended in violation of law, regulations, or program requirements issued under this Act; and

''(III) a description of—

''(aa) the analysis conducted under clause (i);

''(bb) whether the funds awarded under this Act have been used in accordance with law, regulations, program guidance, and applicable plans; and

''(cc) the extent to which funds awarded to States and Indian tribes under this Act enhanced the ability of grantees to fulfill the core requirements.

''(C) REPORT BY THE ATTORNEY GENERAL.—Not later than 180 days after the date of enactment of this section, the Attorney General shall submit to the appropriate committees of Congress a report on the estimated amount of grant funds disbursed by the agency since fiscal year 2010 that did not meet the requirements for awards of formula grants to States under this Act.

''(2) OFFICE OF INSPECTOR GENERAL PERFORMANCE AUDITS.—

''(A) IN GENERAL.—In order to ensure the effective and appropriate use of grants administered under this Act and to prevent waste, fraud, and abuse of funds by grantees, the Inspector General of the Department of Justice each year shall periodically conduct audits of States and Indian tribes that receive grants under this Act.

''(B) DETERMINING SAMPLES.—The sample selected for audits under subparagraph (A) shall be—

''(i) of an appropriate size to—

''(I) assess the grant programs authorized under this Act; and

''(II) act as a deterrent to financial mismanagement; and

''(ii) selected based on—

''(I) the size of the grants awarded to the recipient;

''(II) the past grant management performance of the recipient;

''(III) concerns identified by the Administrator, including referrals from the Administrator; and

''(IV) such other factors as determined by the Inspector General of the Department of Justice.

''(C) PUBLIC AVAILABILITY ON WEBSITE.—The Attorney General shall make the summary of each review conducted under this section available on the website of the Department of Justice, subject to redaction as the Attorney General determines necessary to protect classified and other sensitive information.

''(D) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the first 2 fiscal years beginning after the 12-month period beginning on the date on which the audit report is issued.

''(E) PRIORITY.—In awarding grants under this Act, the Administrator shall give priority to a State or Indian tribe that did not have an unresolved audit finding during the 3 fiscal years prior to the date on which the eligible entity submits an application for a grant under this Act.

''(F) REIMBURSEMENT.—If a State or Indian tribe is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (I), the Attorney General shall—

''(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the General Fund under clause (i) from the grantee that was erroneously awarded grant funds.

''(G) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General—

''(i) that the audited State or Indian tribe has used grant funds for an unauthorized expenditure or otherwise unallowable cost; and

''(ii) that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued.

''(3) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—The Administrator may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(C) DISCLOSURE.—

''(i) IN GENERAL.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Administrator, in the application for the grant, the process for determining such compensation, including—

''(I) the independent persons involved in reviewing and approving such compensation;

''(II) the comparability data used; and

''(III) contemporaneous substantiation of the deliberation and decision.

''(ii) PUBLIC INSPECTION UPON REQUEST.—Upon request, the Administrator shall make the information disclosed under clause (i) available for public inspection.

''(4) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in funds made available to the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

''(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

''(5) PROHIBITION ON LOBBYING ACTIVITY.—

''(A) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any recipient of a grant made using such amounts to—

''(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

''(ii) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

''(B) PENALTY.—If the Attorney General determines that any recipient of a grant made using amounts authorized to be appropriated under this Act has violated subparagraph (A), the Attorney General shall—

''(i) require the grant recipient to repay the grant in full; and

''(ii) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.

''(6) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this section, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

''(A) all audits issued by the Office of the Inspector General of the Department of Justice under paragraph (2) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(B) all mandatory exclusions required under paragraph (2)(I) have been issued;

''(C) all reimbursements required under paragraph (2)(K)(i) have been made; and

''(D) includes a list of any grant recipients excluded under paragraph (2)(I) during the preceding fiscal year.

''(c) PREVENTING DUPLICATIVE GRANTS.—

''(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this Act, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine if duplicate grant awards are awarded for the same purpose.

''(2) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

''(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

''(B) the reason the Attorney General awarded the duplicative grant.

''(d) COMPLIANCE WITH AUDITING STANDARDS.—The Administrator shall comply with the Generally Accepted Government Auditing Standards, published by the General Accountability Office (commonly known as the 'Yellow Book'), in the conduct of fiscal, compliance, and programmatic audits of States.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—

(1) IN GENERAL.—The Juvenile Justice and Delinquency Prevention Act of 1974 is amended by striking section 407 (42 U.S.C. 5776a).

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

(3) SAVINGS CLAUSE.—In the case of an entity that is barred from receiving grant funds under paragraph (2) or (7)(B)(ii) of section 407 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5776a), the amendment made by paragraph (1) of this subsection shall not affect the applicability to the entity, or to the Attorney General with respect to the entity, of paragraph (2), (3), or (7) of such section 407, as in effect on the day before the effective date under paragraph (2) of this subsection.

TITLE V—JUVENILE ACCOUNTABILITY BLOCK GRANTS

SEC. 501. GRANT ELIGIBILITY.

Section 1802(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ee–2(a)) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(3) assurances that the State agrees to comply with the core requirements, as defined in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603), applicable to the detention and confinement of juveniles.''.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Rhode Island for his courtesy in allowing me to go next.

HEALTHCARE

Mr. ALEXANDER. Mr. President, this afternoon, Senator MURRAY, the Senator from Washington State who is the ranking member of the Senate Committee on Health, Education, Labor, and Pensions, and I, the chairman of the committee, made a joint bipartisan announcement that the Senate's HELP Committee will hold hearings beginning the week of September 4 on the actions Congress should take to stabilize and strengthen the individual health insurance market so Americans will be able to buy insurance at affordable prices in the year 2018. We will hear from State insurance commissioners, from patients, from Governors, from healthcare experts, and insurance companies. Committee staff will begin work this week, working with all committee members to prepare for these hearings and discussions. That was the announcement Senator MURRAY and I made today.

Now, in my own words, the reason for these hearings is that unless Congress acts by September 27, when insurance companies must sign contracts with the Federal Government to sell insurance on the Federal exchange next year, millions of Americans with government subsidies in up to half of our States may find themselves with zero options for buying health insurance on the exchanges next year, 2018. Many others without government subsidies will find themselves unable to afford health insurance because of rising premiums, copays, and deductibles.

There are a number of issues with the American healthcare system, but if your house is on fire, you want to put out the fire. The fire, in this case, is the individual health insurance market. Both Republicans and Democrats agree on this.

Our committee, the HELP Committee, had one hearing on the subject on February 1 and will work intensively between now and the end of September in order to finish our work in time to have an effect on health insurance policies next year, sold in 2018.

I am consulting with Senator MURRAY to try to make these hearings as bipartisan as possible and to involve as many committee members as possible. I will be consulting with Senator HATCH and Senator WYDEN so the Finance Committee is aware of any matters we discuss that might be within its jurisdiction. A number of Senators, both Democratic and Republican, have approached Senator MURRAY and me and said they would like to be involved. We are going to find a way for them to be involved and update them on our progress.

In these discussions—the ones I am describing—we are dealing with a small segment of the total health insurance market. Only about 6 percent of insured Americans buy their insurance in the individual market. Only about 4 percent of insured Americans buy their insurance on the Affordable Care Act exchanges. While these percentages are small, they represent large numbers of Americans, including many of our most vulnerable Americans. We are talking about roughly 18 million Americans in the individual market. About 11 million of them buy their insurance on the Affordable Care Act exchanges. About 9 million of these 11 million have Affordable Care Act subsidies, and unless we act, many of them may not have policies available to buy in 2018 because insurance companies will pull out of the collapsing markets. It would be like having a bus ticket and no bus coming through town.

Just as important, unless we act, costs could rise, once again, even making healthcare unaffordable for the additional 9 million Americans in the individual market who receive no government support to help buy insurance, roughly 2 million of them who buy their health insurance on the exchanges but who don't qualify for a subsidy, and roughly 7 million who buy their insurance outside of the exchanges. This means they have no government help paying for their premiums, their copays, and their deductibles.

As we prepare for these discussions, I have urged again that President Trump temporarily continue the cost-reduction payments through September so Congress can work on a short-term solution for stabilizing the individual markets in 2018. These cost-sharing reduction subsidies reduce copays, reduce deductibles, and reduce other out-of-pocket costs to help low-income Americans buy their health insurance on the exchanges. We are talking about those who make under 250 percent of the poverty level or roughly $30,000 for an individual or $60,000 for a family of four. Without payment of these cost-sharing reductions, Americans will be hurt. Up to half the States will likely have bare counties, with zero insurance providers offering insurance on the exchanges, and insurance premiums will increase by roughly 20 percent, according to the American Health Insurance Plans.

In my opinion, any solution that Congress passes for a 2018 stabilization package would need to be small, bipartisan, and balanced. It should include funding for the cost-sharing reductions, but it also should include greater flexibility for States in approving health insurance policies which should reduce costs.

Now, it is reasonable to expect that if the President were to approve continuation of cost-sharing subsidies for August and September and if Congress, in September, should pass a bipartisan stabilization bill that includes cost-sharing for 1 year—that is 2018—it is reasonable to expect that the insurance companies in 2018 would lower their rates. They have told us—in fact, Oliver Wyman, an independent observer of healthcare, has told us that lack of funding for cost-sharing reductions would add 11 to 20 percent to premiums in 2018.

So if the President, over the next 2 months, and the Congress, over the next year, take steps to provide certainty that there will be cost-sharing subsidies, that should allow insurance companies to lower the premiums they have projected they will charge in 2018. In fact, many insurance companies have priced their rates for 2018 at two different levels—one with cost-sharing and one without cost-sharing. So it is important not only that the President improve temporary cost-sharing for August and September but that we, the Congress, in a bipartisan way, find a way to approve it for at least 1 year so we can keep the premiums down.

Now, this is only one step in what we want to do about health insurance and about the larger question of healthcare